

REMARKS

Applicants have thoroughly considered the Examiner's remarks in the June 14, 2007 Office action and have amended the application to more clearly set forth aspects of the invention. This Amendment A amends claims 1, 3, 4, 7, 9, 14, 16, 17, 19, 21, 27, 29, 32 and 35-37 and cancels claims 2, 15, 26, 33, and 34. No new matter has been added.

Claims 1, 3-14, 16-25, 27-32 and 35-40 are thus presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

Claim Rejections Under 35 U.S.C. § 101

Claims 1-13 and 26 stand rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 26 has been canceled. And, claim 1, as amended recites,

a test generator for generating an XML test case; and
a driver for interpreting the XML test case into an http request to be sent to the web location, said driver comprising:
a parsing engine for parsing the XML test case into a sequence of requests/response pairs; and
a runtime engine for providing to the web location the http request corresponding to the sequence of requests/response pairs wherein the runtime engine includes **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result;** and **instructions for replacing the evaluated result to generate a replaced request.**

For example, the runtime engine is responsible for randomly selecting values from an XML data file. (Pages 14, paragraph 46). First, the runtime engine identifies dynamic data in the request/response pairs such as identifying a tag value "Data@Name". Then, the identified dynamic value is evaluated for a result. Third, the evaluated result is replaced to generate a replaced request. For example, in a test case XML file, a tag value containing "{Data@Name="Accessibility"}" **will be replaced** randomly with any of the possible values listed under the <Data Name="Accessibility"> node in the XML data file of EXAMPLE 5 on pages 14-15 of the specification. (Pages 15, paragraph 47). Thus, the replaced request, which includes the evaluated result of dynamic data as recited in claim 1, provides a useful, concrete, and tangible result consistent with MPEP 2106 and *State Street Bank & Trust Co. v. Signature*

Financial Group, Inc., 149 F.3d 1368, 47 U.S.P.Q.2d 1596, (Fed. Cir. 1998). Claims 3-13 depend from claim 1. Therefore, Applicants request that the Examiner withdraw the rejection to claims 3-13.

Claim Rejections Under 35 U.S.C. § 112

Claims 4, 7, 8, 16, 19, 20, 29, 32, and 33 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claim 33, the claim has been canceled.

With respect to claims 4, 16 and 29, the claims have been amended to recite "wherein the XML test case is received from the test generator;" and "identifying configuration data of the components", correcting the antecedent basis. Therefore, Applicants request that the Examiner withdraw the rejection to claims 4, 16 and 29.

With respect to claims 7, 19 and 32, the claims have been amended to recite "instantiating an http engine", correcting the antecedent basis. Claims 8 and 20 depend from claims 7 and 19 respectively, and are allowable for the same reasons as claims 8 and 20. Therefore, Applicants request that the Examiner withdraw the rejection to claims 7, 8, 19, 20 and 32.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-4, 12, 14-16, 23 and 25 stand rejected under 35 U.S.C. 102(b) as being anticipated by "Coyote: An XML-Based Framework for Web Services Testing" by Tsai et al. (hereinafter "Tsai"). Applicants respectfully disagree as Tsai fails to disclose or suggest each and every element claimed in the rejected claims.

Tsai discloses test master and test engine for testing and evaluating web services. (Abstract). The test master allows testers to specify test scenarios and cases as well as performing various analyses such as dependency analysis, completeness and consistency, and converts WSDL specifications into test scenarios. (Abstract). The test engine interacts with the web services under test, and provides tracing information. (Abstract). And, on page 12 of the Office action, the Examiner concedes that Tsai does not teach or disclose instructions for identifying dynamic data in the request/response pairs received from the parsing engine or

instructions for replacing the evaluated result to generate a replaced request and cites U.S. Patent No. 6,044,398 to Marullo et al. (hereinafter "Marullo").

Marullo teaches a system to test web services. (Abstract). In particular, Marullo discloses that a genautoAPI may be used to "create web pages with all of the data required to run the tests and also will create setup files which may be utilized by the webrunner, webstrain, and other automated tools." (Column 17, lines 2-6). Additionally, Marullo discloses that the genautoAPI "automatically generate Internet test data and, more particularly, to build and automated set of web pages which permits the system to test all of the web application APIs." (Column 17, lines 9-13). In other words, the genautoAPI builds the test environment that is tested, not the actual tests that are run.

In contrast, claim 1, as amended, recites:

- a test generator for generating an XML test case; and
- a driver for interpreting the XML test case into an http request to be sent to the web location, said driver comprising:
 - a parsing engine for parsing the XML test case into a sequence of requests/response pairs; and
 - a runtime engine for providing to the web location the http request corresponding to the sequence of requests/response pairs wherein the runtime engine includes **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request**.

For example, the runtime engine is responsible for randomly selecting values from an XML data file. (Pages 14, paragraph 46). First, the runtime engine identifies dynamic data in the request/response pairs such as identifying a tag value "Data@Name". Then, the identified dynamic value is evaluated for a result. Third, the evaluated result is replaced to generate a replaced request. For example, in a test case XML file, a tag value containing "{Data@Name="Accessibility"}" **will be replaced** randomly with any of the possible values listed under the <Data Name="Accessibility"> node in the XML data file of EXAMPLE 5 on pages 14-15 of the specification. (Pages 15, paragraph 47).

Tsai and Murallo, alone or in combination with the other cited art fail to disclose or make obvious "a runtime engine for providing to the web location the http request corresponding to the sequence of requests/response pairs wherein the runtime engine includes **instructions for**

identifying dynamic data in the request/response pairs received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request**" as recited in claim 1.

Writing for the Supreme Court, Justice Anthony Kennedy observed that a patent claim is invalid for obviousness when the invention combines familiar elements according to known methods to produce no more than predictable results. *KSR International Co. v. Teleflex, Inc.* U.S., No. 04-1350, 4/30/07. However, in this rejection, neither the element of **evaluating the identified dynamic data for a result** nor the result of **replacing the evaluated result to generate a replaced request** is not found in the combined art.

For at least these reasons, Applicants submit that cited reference, alone or in combination, does not teach or make obvious each and every element of claim 1. As such, the rejection of claim 1 should be removed. Claim 14 has been amended similarly as claim 1 and is allowable for at least the same reasons as claim 1. Additionally, claims 3-13 and 16-25 depending from claims 1 and 14, respectively, are allowable for at least the same reasons as claims 1 and 14.

Claim Rejections Under 35 U.S.C. § 103

Claims 13 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai in view of U.S. Patent No. 6,052,730 to Felciano et al. (hereinafter "Felciano"), in view of "Upload file via web form" by Mick (hereinafter "Mick").

Felciano teaches a method for monitoring and/or modifying web browsing activities over and entire computer network. (Abstract). And, Mick teaches a how to upload data to a password protected web server. (Page 1). However, for the reasons stated above, Tsai, Felciano and Mick, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 13 depends from claim 1 as is allowable for at least the same reasons as claim 1. Claim 26 has been canceled. As such, the rejection of claim 13 under 35 U.S.C. § 103(a) should be removed.

Claims 5, 17, 36-38, and 40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai as applied to claim 1 above, and further in view of U.S. Published Application No. 2003/0229503 to Dan et al. (hereinafter "Dan").

Dan teaches a method for processing requests for services in a networked data processing system. (Abstract). However, for the reasons stated above, Tsai and Dan, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 36 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 5, 17 and 37-40 depend from claims 1, 14 and 36, respectively, and are allowable for at least the same reasons as claims 1, 14 and 36. As such, the rejection of claims 5, 17, 36-38, and 40 under 35 U.S.C. § 103(a) should be removed.

Claims 6 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai and Dan as applied to claim 5 above, and further in view of Felciano and Mick. For the reasons stated above, Tsai, Dan, Felciano and Mick, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 14 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 6 and 18 depend from claims 1 and 14, respectively, and are allowable for at least the same reasons as claims 1 and 14. As such, the rejection of claims 6 and 18 under 35 U.S.C. § 103(a) should be removed.

Claims 7 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai and Dan as applied to claim 5 above, and further in view of Marullo. For the reasons stated above, Tsai, Dan, and Marullo, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claims 7 and 8 depend from claim 1 and

are allowable for at least the same reasons as claim 1. As such, the rejection of claims 7 and 8 under 35 U.S.C. § 103(a) should be removed.

Claims 9, 10, 21, and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai as applied to claim 2 above, and further in view of Marullo. For the reasons stated above, Tsai and Marullo, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 14 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 9, 10, 21, and 22 depend from claims 1 and 14, respectively, and are allowable for at least the same reasons as claims 1 and 14. As such, the rejection of claims 9, 10, 21, and 22 under 35 U.S.C. § 103(a) should be removed.

Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai as applied to claim 2 above, and further in view of U.S. Patent No. 6,138,157 to Welter (hereinafter "Welter").

Welter teaches a method for testing a web site including formulating a test configuration file including a series of test inquiries for a web site to be tested. (Abstract). However, for the reasons stated above, Tsai and Welter, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 14 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 11 and 24 depend from claims 1 and 14, respectively, and are allowable for at least the same reasons as claims 1 and 14. As such, the rejection of claims 11 and 24 under 35 U.S.C. § 103(a) should be removed.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai, Dan, Felciano and Mick as applied to claim 18 above, and further in view of Marullo. For the reasons stated above, Tsai, Dan, Felciano, Mick, and Marullo, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as

instructions for identifying dynamic data in the request/response pairs received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 14 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 19 and 20 depend from claim 14 and are allowable for at least the same reasons as claim 14. As such, the rejection of claims 19 and 20 under 35 U.S.C. § 103(a) should be removed.

Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai in view of "Microsoft's Passport to doom" by Kotadia (hereinafter "Kotadia").

Kotadia discloses a single sign on system associated with a central repository for personal information, including credit cards. (Page 1). For the reasons stated above, Tsai and Kotadia, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 27 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 28 and 29 depend from claim 27 and are allowable for at least the same reasons as claim 27. As such, the rejection of claims 28 and 29 under 35 U.S.C. § 103(a) should be removed.

Claim 30 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai and Kotadia as applied to claim 27 above, and further in view of Dan. For the reasons stated above, Tsai, Kotadia, and Dan, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 27 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claim 30 depends from claim 27 and is allowable for at least the same reasons as claim 27. As such, the rejection of claim 30 under 35 U.S.C. § 103(a) should be removed.

Claim 31 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai, Kotadia, and Dan as applied to claim 30 above, and further in view of Felciano and Mick. For

the reasons stated above, Tsai, Kotadia, Dan, Felciano and Mick, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 27 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claim 31 depends from claim 27 and is allowable for at least the same reasons as claim 27. As such, the rejection of claim 31 under 35 U.S.C. § 103(a) should be removed.

Claims 32-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai and Kotadia as applied to claim 27 above, and further in view of Marullo. Claims 33-34 have been canceled. For the reasons stated above, Tsai, Kotadia, and Marullo, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 27 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claims 32 and 35 depend from claim 27 and are allowable for at least the same reasons as claim 27. As such, the rejection of claims 32 and 35 under 35 U.S.C. § 103(a) should be removed.

Claim 39 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai and Dan as applied to claim 36 above, and further in view of Welter. For the reasons stated above, Tsai, Dan, and Welter, alone or in combination with the other cited art, does not teach or make obvious each and every element of claim 1 such as **instructions for identifying dynamic data in the request/response pairs** received from the parsing engine; **instructions for evaluating the identified dynamic data for a result**; and **instructions for replacing the evaluated result to generate a replaced request** as recited in claim 1. Claim 36 has been similarly amended as claim 1 and is allowable for at least the same reasons as claim 1. Claim 39 depends from claim 36 and is allowable for at least the same reasons as claim 36. As such, the rejection of claim 39 under 35 U.S.C. § 103(a) should be removed.

Conclusion

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that claims as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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